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**TERMINAL DISCLAIMER TO OBIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING SECOND APPLICATION**

Docket Number (Optional)

H1799-00216

In re Application of: Rosenfeld et al.

Application No.: 10/765,660

Filed: 01/27/2005

For: Heat Transfer Device and Method of Making Same

The owner*, Thermal Corp, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/607,337, filed on 06/26/2003, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. ☒ The undersigned is an attorney or agent of record.

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Signature

Date

SAMUEL W. APICELLI

Typed or printed name

215-979-1255

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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 10/27/05
Signature Date

SAMUEL W. APICELLI

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